## Minutes

## Town of Lake Park, Florida Town Commission Meeting March 17, 2004 7:30 p.m.

## Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Town Commission Meeting on Wednesday, March 17, 2004 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor G. Chuck Balius, Commissioners Longtin, Otterson and Garretson, Town Manager Doug Drymon, Town Attorney Thomas Baird and Town Clerk Carol Simpkins.

Mayor Castro called the meeting to order at 7:30 p.m. Commissioner Otterson led the Invocation. Vice Mayor Balius led the Pledge of Allegiance. Deputy Town Clerk Stephanie Thomas performed the Roll Call.

#### ADDITIONS/DELETIONS

None.

MOTION: A motion was made by Vice Mayor Balius to approve the March 17, 2004 Agenda; Commissioner Garretson made the second.

#### Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	x		
Commissioner Otterson	x		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

#### PRESENTATIONS:

NONE.

## Development Regions Grant applications.

Bambi McKibbon-Turner, Executive Assistant to the Town Manager presented four (4) completed Development Regions Grant applications to the Town Commission. Ms. Turner provided a brief update on each application. She indicated that Oakes Pee-Wee Academy was eliminated at the March 3, 2004 Regular Commission Meeting would like to be reconsidered for the grant in that the representative from the company was unable to attend that particular meeting. Ms. Turner informed the Commission of staff's recommendation for approval of all four applications.

Jamie Gentile, Calvin, Giordano & Associates informed the Commission in regards to Dockside Seafood that the applicant is planning to expand parking at the site which will require a variance due to the applicant's proposal of nine (9) foot spaces. The site will provide a total of thirty-one (31) spaces. Mr. Gentile indicated that the approval of the site plan is contingent upon the Board of Adjustment.

Elaine Oakes, Oakes Pee-Wee Academy addressed the Commission providing her background and expertise in the field of children and family services. The Town Commission welcomed her concept although indicated that they had concerns about the children in that this will be Ms. Oakes first child care facility.

Members of the Commission expressed concerns that the Development Regions Grants Applications have escalated. They feel that the majority of funds should be used to fund Town projects and a smaller portion should be used to support small businesses within the Town. Ms. Turner explained to the Town Commission that the maximum amount for each grant award is fifty thousand dollars (\$50,000.00) of County funds, although the Town is only required to match fifty percent of the aforementioned amount.

#### Dockside Seafood:

Total project cost	\$722,738.00
Applicant share	\$647,738.00
County Funding	\$50,000.00
Town matching share	\$25,000.00
Total jobs created	7.35

MOTION:

A motion was made by Commissioner Garretson to award grant monies to Dockside Seafood in the amount of \$25,000.00; Vice Mayor Balius made the second.

Commission Member	Yes	No	Other
Commissioner Garretson	X		

Vice Mayor Balius	X	
Commissioner Longtin	X	n - 36 - 13 - 13 - 13 - 13
Commissioner Otterson	X	
Mayor Castro	X	

## PDR Chirale:

Total project cost	\$195,000.00
Applicant share	\$120,000.00
County Funding	\$50,000.00
Town matching share	\$25,000.00
Total jobs created	5

MOTION:

A motion was made by Vice Mayor to award grant monies in the amount of \$25,000.00 to PDR Chirale under the condition that the Community Redevelopment Agency approves the award; Commissioner Garretson made the second.

#### Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	x		
Commissioner Longtin	X		HE BY SEE
Commissioner Otterson	X		
Mayor Castro		X	

Motion passed 4-1.

Paaris Gourmet

Total project cost \$52,639.84 Applicant share \$28,951.91 County Funding \$15,791.95 Town matching share \$7,895.98 Total jobs created \$2.5 MOTION: A motion was made by Vice Mayor to award grant monies in the amount of \$15,791.95 to Paaris Gourmet; Commissioner Garretson

made the second.

Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	x		
Commissioner Garretson	X		
Commissioner Longtin	X		
Commissioner Otterson	X		
Mayor Castro		X	

Motion passed 4-1.

Pee-Wee Oakes Academy

Total project cost \$57,830.83 Applicant share \$31,806.95

County Funding \$17,349.25

Town matching share \$8,674.83

Total jobs created

MOTION: A motion was made by Commissioner Garretson to award grant monies in the amount of \$8,674.25 to Pee-Wee Oakes Academy; Commissioner Otterson made the second.

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin		X	
Commissioner Otterson	X		
Mayor Castro		X	

Motion passed 3-2.

#### PUBLIC COMMENT:

The following person(s) addressed the Commission:

Bert Bostrom, 1451 Flagler Boulevard indicated that Pro-Excel Britannia will hold a free Soccer Clinic for everyone on April 18<sup>th</sup> 2004. Ms. Bostrom stated that if the clinic is successful the organization will sponsor a week long clinic in the last week in June 2004.

Cristina Catasus, 102 6<sup>th</sup> Street inquired in regards to a letter that was submitted to the Office of the Town Manager. The Town Commission advised her to set up a meeting with the Town Manager to receive a response.

George Hill, 214 Cypress Drive, Chairman of the Lake Park Community Watch publicly noted that the Lake Park Community Crime Watch Program will hold presentations at the Fire Department that will be hosted by David McBride. The presentations will provide information on DNA test, fingerprinting, fire and safety and five (5) other topics that are being coordinated by the organization.

#### CONSENT AGENDA

Commission Meeting Minutes of March 3, 2004.

MOTION: A motion was made by Vice Mayor Balius to approve the March 3, 2004 Commission Meeting Minutes. Commissioner Longtin made the second.

Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Vice-Mayor Balius	X		
Commissioner Longtin	X		
Commissioner Garretson	X		
Commissioner Otterson	X		
Mayor Castro	X		

Motion passed 5-0.

### PUBLIC HEARING/S: ORDINANCES ON SECOND READING/ADOPTION:

#### ORDINANCE NO. 08-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 2, ARTICLE VI, DIVISION 5, PERTAINING TO TOWN ADMINISTRATION OF EMPLOYEES AND PERSONNEL RULES AND REGULATIONS, AMENDING SECTION 2-151 ENTITLED "ADOPTION;" TO AMEND SECTION 1 PERTAINING TO THE CLASSIFICATION PLAN FOR CLASSIFIED SERVICE POSITIONS FOR TOWN EMPLOYEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened. No speakers. Public Hearing closed.

MOTION: A motion was made by Commissioner Otterson to adopt Ordinance No. 08 004. Vice Mayor Balius made the second.

#### Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Otterson	X		
Vice Mayor Balius	X		
Commissioner Longtin	X		
Commissioner Garretson	x		
Mayor Castro		X	

Motion passed 4-1.

Mayor Castro believes an employee should possess the necessary training as well as life experience credentials.

ORDINANCES ON FIRST READING ORDINANCE NO. 09-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 7, ARTICLE VIII, "HOUSING CODE", DIVISION 3, SECTION 7-97 ENTITLED "DEFINITIONS" TO PROVIDE ADDITIONAL DEFINITIONS: AMENDING SECTION 7-98 ENTITLED "GENERALLY" TO RENAME AS "PURPOSE AND AUTHORITY" AND ADD ADDITIONAL PROVISIONS PERTAINING TO HOUSING GENERALLY; AMENDING ARTICLE VIII. DIVISION 4, SECTION 7-100 ENTITLED "MINIMUM REQUIREMENTS FOR LIGHT AND VENTILATION" TO REVISE AND UPDATE LIGHT AND VENTILATION REQUIREMENTS: AMENDING SECTION 7-103 ENTITLED "MINIMUM DWELLING SPACE REQUIREMENTS" TO RENAME "OCCUPANCY LIMITATIONS" AND TO REVISE AND UPDATE OCCUPANCY LIMITATIONS: AMENDING SECTION 7-105 ENTITLED "ROOMING HOUSES" TO ADD ADDITIONAL REQUIREMENTS FOR ROOMING HOUSES; AMENDING SECTION 7-106 ENTITLED "DESIGNATION OF UNFIT DWELLINGS AND LEGAL PROCEDURE FOR CONDEMNATION" TO RENAME AS "UNSAFE DWELLINGS AND STRUCTURES" AND TO REPEAL EXISTING PROVISIONS AND ADOPT BY REFERENCE THE CONDEMNATION AND ABATEMENT PROCEDURES FOR UNSAFE DWELLINGS AS SET FORTH IN THE FLORIDA BUILDING CODE AND THE STANDARD UNSAFE BUILDING ABATEMENT CODE: PROVIDING FOR SEVERABILITY: PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Drymon explained to the Commission that the purpose of Ordinance No. 9-2004 was to attempt to address the Commissions' issue of several individuals living in small cramped quarters. Mayor Castro added that the Ordinance will also discourage unlicensed businesses from operating in the Town.

MOTION: A motion was made by Vice Mayor Balius to approve Ordinance No. 09 2004; Commissioner Otterson made the second.

Commission Member	Yes	No	Other
Vice Mayor Balius	x		
Commissioner Otterson	X		
Commissioner Longtin	X		

Commissioner Garretson	X	
Mayor Castro	X	

## QUASI-JUDICIAL PUBLIC HEARING(S): RESOLUTIONS

Deputy Town Clerk Stephanie Thomas swore in the witnesses.

The following Commissioners had no exparte communications to be declared since the March 3, 2004 Commission Meeting:

Commissioner Otterson Commissioner Garretson

The following Commissioners declared exparte communications since the March 3, 2004 Commission Meeting.

Vice Mayor Balius Spoke with Mr. Ahrens regarding the One Park Place Project.

Mayor Castro Spoke with a resident in regards to drainage concerns.

Spoke with residents regarding the project and Parcel F.

#### RESOLUTION 11-03-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A SITE PLAN FOR A MIXED-USE DEVELOPMENT OWNED BY ONE PARK AVE, LLC KNOWN AS ONE PARK PLACE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF PARK AVENUE AND 9<sup>TH</sup> STREET, WITHIN THE PARK AVENUE DOWNTOWN ZONING DISTRICT (PADD); PROVIDING CONDITIONS OF APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

Richard Ahrens, Managing Partner of Ahrens Companies, LLC, provided a brief detailed presentation of the revised site plan. (See Exhibit A) Mr. Ahrens indicated that the project has met preliminary concurrencies and will seek reimbursement of fifty percent (50%) or tax relief until the cost plus six percent (6%) interest has been paid on the construction cost of the waterline expansion.

Burt Gibson, Counsel representing Ahrens Companies LLC, stated that his client has attempted to collectively compromise to make changes in the plan. Mr. Gibson indicated that the project is now in compliance with the Towns requirements; however he requested a density wavier on behalf of Ahrens Companies, LLC.

Jamie Gentile of Calvin, Giordano & Associates, referenced to staff recommendations and concerns of the Community Development department's staff report. (See exhibit B)

Terrell Arline, Expert Witness, 3205 Brentwood Way, Tallahassee, Florida (See exhibit C) testified based on his professional opinion that the project is not consistent with the land development code. He stated that the project doesn't ensure the integrity of the Single Family homes and as a result the residents will not have a sense of place. He feels that the code should equally be enforced to everyone. Mr. Arline concluded by stating that he does not believe the water pressure is sufficient for a building of that size.

### Public Hearing Opened.

The following person(s) addressed the Commission.

Opposed Residents/Business Owners in favor

Joe Glisson, 850 Greenbriar Joanna Arline, 808 Greenbriar Diane Munroe, Hawthorne Russ Beverstein, 524 Evergreen Brian Marozzi, 400 Greenbriar Jane Robinson, 235 East Jasmine Michael Kubek, 214 2nd

Linda Klimeika, 428 Greenbriar

#### Public Hearing closed.

MOTION: A motion was m

A motion was made by Vice Mayor Balius to approve Resolution 11-03-04. Commissioner Otterson made the second.

#### Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Otterson	X		
Commissioner Longtin		x	
Vice-Mayor Balius	x		
Mayor Castro		x	

Motion passed 3-2.

Mayor Castro indicated that the applicant has made great stride, however he still does not feel comfortable with the high density issue that the applicant has requested.

Commissioner Longtin believes that the property values are not contingent upon the One Park Place project. She feels the property values will rise regardless. In response to a question posed by Commissioner Longtin, Mayor Castro indicated that the Town will have to budget for whatever amount the Town agreed to at the time the contract was signed and executed per Town Attorney Baird.

#### RESOLUTIONS

RESOLUTION NO. 16-03-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPOINTING INDIVIDUALS TO SERVE AS CLERKS, ADVISORS AND INSPECTORS FOR THE MARCH 23, 2004 RUNOFF ELECTION FOR THE PURPOSE OF ELECTING TWO (2) TOWN COMMISSIONERS FOR THE TOWN OF LAKE PARK AND PROVIDING AN EFFECTIVE DATE

MOTION: A motion was made by Vice Mayor Balius to approve Resolution No. 16-03-04. Commissioner Garretson made the second.

#### Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	Х		
Commissioner Longtin	x		
Commissioner Otterson			Away at time of vote
Mayor Castro	X		

Motion passed 4-0.

#### RESOLUTION NO. 17-03-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REVISING THE CLASSIFICATION PLAN POSITION DESCRIPTION FOR THE POSITION OF PUBLIC WORKS DIRECTOR, CLASS CODE 170, TO INCLUDE "OR ANY EQUIVALENT COMBINATION OF TRAINING AND EXPERIENCE" UNDER THE HEADING "REQUIREMENTS", PART A, "TRAINING AND EXPERIENCE"; PROVIDING FOR THE PUBLICATION OF AN UPDATED "CLASSIFICATION PLAN MANUAL"; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: A motion was made by Vice Mayor Balius to approve Resolution No. 17-03-04. Commissioner Otterson made the second.

Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius		X	
Commissioner Otterson		X	
Commissioner Longtin	X		
Commissioner Garretson	X		
Mayor Castro		X	

Motion failed 2/3.

MOTION: A motion was made by Commissioner Longtin to reconsider Resolution 17-03-04. Commissioner Garretson made the second.

Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Longtin	x		
Commissioner Garretson	X		
Commissioner Otterson	X		
Vice-Mayor Balius	x		
Mayor Castro		x	

Motion passed 4/1.

MOTION: A motion was made by Commissioner Garretson to approve Resolution 17-03-04. Vice Mayor Balius made the second.

Commission	Yes	No	Other	
Member				

Commissioner Garretson	X		
Vice Mayor Balius	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Mayor Castro		X	

Motion passed 4/1.

#### RESOLUTION NO. 18-03-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REVISING THE CLASSIFICATION PLAN POSITION DESCRIPTION FOR THE POSITION OF OPERATIONS MANAGER TO INCLUDE "OR EQUIVALENT COMBINATION OF TRAINING AND EXPERIENCE" UNDER THE HEADING "REQUIREMENTS", PART A. "TRAINING AND EXPERIENCE"; PROVIDING FOR THE PUBLICATION OF AN UPDATED "CLASSIFICATION PLAN MANUAL"; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: A motion was made by Vice Mayor Balius to approve Resolution No. 18-03-04. Commissioner Garretson made the second.

#### Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	X		
Commissioner Longtin	X		
Commissioner Otterson	x		
Mayor Castro		x	

Motion passed 4/1.

#### RESOLUTION NO. 19-03-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING REASONABLE UNIFORM RATES FOR THE REIMBURSEMENT OF PER DIEM, MILEAGE, AND SUBSISTENCE ALLOWANCES FOR TOWN EMPLOYEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Administrative Services Director Annette Kersey clarified Resolution No. 19-03-04. Ms. Kersey indicated that the purpose of the Resolution is to bring more control into the travel policy.

MOTION: A motion was made by Commissioner Garretson to approve Resolution No. 19-03-04. Commissioner Otterson made the second.

#### Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	x		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	x		

Motion passed 5-0.

RESOLUTION NO. 20-03-04 ATTACHMENT E-6 RESOLUTION FOR ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM

MOTION: A motion was made by Vice Mayor Balius to approve Resolution No. 20-03-04. Commissioner Otterson made the second.

Commission Member	Yes	No	Other	
Vice Mayor Balius	x			

Commissioner Otterson	X	
Commissioner Longtin	X	
Commissioner Garretson	X	
Mayor Castro	X	

#### DISCUSSION AND POSSIBLE ACTION:

MOTION:

A motion was made by Commissioner Garretson to move Item N-13 Marina Upland Construction Proposal to the front of Discussion and Possible Action. Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	x		
Commissioner Otterson	x		
Commissioner Longtin	X		
Vice-Mayor Balius	x		
Mayor Castro	x		

Motion passed 5-0.

#### Marina Upland Construction Proposal

Paul Carlisle, Public Works Director indicated that the contract is an associated contract from Palm Beach County for parking and drainage.

MOTION: A motion was made by Commission Garretson to approve the Marina Upland Construction Proposal. Vice Mayor Balius made the second.

Commission Member	Yes	No	Other	
Commissioner Garretson	x			

Vice Mayor Balius	X	
Commissioner Longtin	X	
Commissioner Otterson	X	
Mayor Castro	X	

Request for action on a Proclamation in honor of National Public Works Week May 16-22, 2004.

MOTION:

A motion was made by Vice Mayor Balius to approve the request for action on a Proclamation in honor of National Public Works Week May 16-22, 2004. Commissioner Garretson made the second.

Roll Call Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	x		
Commissioner Garretson	X		
Commissioner Longtin	X		
Commissioner Otterson	X		
Mayor Castro	x		

Motion passed 5-0.

Public Works Department Sidewalk Repair List for 2003-2004

MOTION:

A motion was made by Vice Mayor Balius to approve the Public Works Department sidewalk repair list for 2003-2004. Commissioner Garretson made the second.

Commission Member	Yes	No	Other	
Vice Mayor Balius	X			

Commissioner Garretson	X	
Commissioner Longtin	X	
Commissioner Otterson	x	
Mayor Castro	X	

## Update regarding Park Avenue Extension Project

Commissioner Longtin suggested having notices sent to the property and business owners on Park Avenue. Commissioner Longtin also suggested that a workshop be scheduled to discuss the item.

# Request for action on a Proclamation in honor of National Community Development Week in Lake Park April 12-18, 2004.

The pleasure of the Commission was decline the presentation of a Proclamation in honor of National Community Development Week in Lake Park April 12-18, 2004.

## Petition requesting reconsideration of enforcement of the Park Avenue Downtown District (PADD) Window Sign Code and requesting a workshop

The pleasure of the Commission was to review the code and determine if changes need to be made. Mayor Castro indicated that Code Compliance Officer Greg Durgin was given direction to enforce the code and that no one was singled out to be sited specifically.

There was general consensus among the Commission to mail letters to the business owners in the PADD. The Commission will continue discussion of the PADD Window Signage Code at the April 7, 2004 Regular Commission meeting.

## Consideration of appointment of Peter Lowery to the Lake Park Retired Police Officers Trust Fund

Peter Lowery was unanimously appointed to the Lake Park Retired Police Pension Officers Trust Fund.

## COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

## Mayor Castro

Mayor Castor publicly commended Staff, the Palm Beach County Sheriffs Office, Palm Beach County Fire and Rescue, and the Public Works Department for going over and beyond the call of duty. Mayor Castro also indicated that he would like to implement the Employee of the Month program once again. He concluded by stating that the Town needs to take action on the appearance and check the status of the progress of Park Avenue Grille work site.

#### Vice Mayor Balius

Vice Mayor Balius sited the need for more clips on the flagpole at the Bertha Bostrom Ball field. Vice Mayor Balius also inquired as to if the Midyear Budget Review will be in April. Town Manager Drymon responded in the positive.

## Commissioner Longtin

Commissioner Longtin stated that there will be a Lake Park Community Crime Watch meeting on Saturday, March 20, 2004 at 11:00 p.m. Commissioner Longtin inquired about the removal of the signs in Lakeshore Park. She also indicated that Mr. Rick Goodsell is willing to cover the charge of the sign at the Bert "Bertha" Bostrom Ball Field.

#### Commissioner Otterson

Commissioner Otterson emphasized that the property values in the Town of Lake Park are continuing to rise. He indicated that his comment was in response to a comment that was made in the Weekday pertaining to the property depreciating in the Town.

Commissioner Garretson No Comment

1Town Manager Drymon No Comment

Town Attorney Baird No Comment

#### ADJOURNMENT:

There being no further business to come before the Commission, after a motion to adjourn by Vice Mayor Balius, seconded by Commissioner Otterson, and by unanimous vote, the meeting adjourned at 10:59 p.m.

Mayor Paul Castro

Deputy Town Clerk, Stephanie Thomas

Approved on this 7th day of April 2004.